IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**
**&**
**THE HONOURABLE MR. JUSTICE K.T.SANKARAN**

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

**WP(C).No. 10991 of 2007(S)**
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**OP.396/2005 of FAMILY COURT, KOTTAYAM**
**.....**

PETITIONER:
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PAULSON, AGED 34 YEARS, KODENKANDATHU HOUSE, PRIYADARSHINI NAGAR, AYYANTHOLE P.O, AYYANTHOLE VILLAGE,THRISSUR TALUK.

BY ADV. SMT. MINI ELIZABETH GEORGE
ADV. SMT.G.VIDYA

RESPONDENT:
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MINI AUGUSTINE, AGED 30 YEARS, D/O.AUGUSTINE, ELAMPLASSERIL HOUSE, PRAVITHANAM KARA, BHARANANGANAM VILLAGE, MEENACHIL TALUK,KOTTAYAM.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**KURIAN JOSEPH & K.T. SANKARAN, JJ.**

**.....**

**W.P.(C) No. 10991 OF 2007**

**.....**

**Dated this the 29th March, 2007**

**J U D G M E N T**

**Kurian Joseph, J:**

Writ Petition is filed for the following reliefs:

> *"i) Issue a writ of certiorari or any other appropriate writ or direction or order to call for the records leading to Exhibit P2, P4 and other connected orders and quash the same.*
>
> *ii) Issue a writ of certiorari or any other appropriate writ or direction permitting the petitioner to file a fresh petition for reviewing Exhibit P4 order."*

2. In the nature of the order we propose to pass, it is neither necessary to issue notice to the respondent nor to go into the merits of the case. Ext. P4 order shows that Ext. P3 petition was dismissed for default. If that be so, it is for the petitioner to approach the Family Court for restoration of Ext.P3 petition.

Without prejudice to the liberty to the petitioner to approach the Family Court for restoration of Ext. P3 petition, this Writ Petition is dismissed.

**KURIAN JOSEPH, JUDGE.**

**K.T. SANKARAN, JUDGE.**

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